

Docket No.: 5232-0102PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Hiroaki MATSUMURA et al.

Application No.: 10/563,811

Confirmation No.: 1910

Filed: June 9, 2006

Art Unit: 2828

For: NITRIDE SEMICONDUCTOR LASER  
DEVICE AND LASER APPARATUS USING  
THE SAME

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Examiner: Not Yet Assigned

**LETTER SUBMITTING CORRECTED VERSION OF INTERNATIONAL  
PRELIMINARY REPORT ON PATENTABILITY (IPRP)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is an International Preliminary Report on Patentability (IPRP), which issued in connection with the above-identified application. We previously submitted the IPRP on September 6, 2006 incorrectly naming it "The English Translation of the International Preliminary Examination Report". It is requested that this correct submission of "English Translation of the International Preliminary Report on Patentability" be made of record in connection with this application.

If any questions arise in the above matters, please contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington Metropolitan Area at the phone number listed below.

Dated: January 8, 2007

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

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P507PC

## PATENT COOPERATION TREATY

PCT/JP2004/009852

From the INTERNATIONAL BUREAU

## PCT

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rules 44bis.3(c) and 72.2)

To:

TOYOSU, Yasushi  
1-5-9, Kanazawa  
Tokushima-shi, Tokushima 7700871  
JAPON

Date of mailing (day/month/year) 26 May 2006 (26.05.2006)	
Applicant's or agent's file reference 62003101PC	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/JP2004/009852	International filing date (day/month/year) 09 July 2004 (09.07.2004)
Applicant NICHIA CORPORATION et al	

1. **Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. **Transmittal of the copy of the translation to the designated or elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. **Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer  Masashi Honda
Facsimile No.+41 22 740 14 35	Facsimile No.+41 22 338 70 10

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 62003101PC	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/JP2004/009852	International filing date ( <i>day/month/year</i> ) 09 July 2004 (09.07.2004)	Priority date ( <i>day/month/year</i> ) 10 July 2003 (10.07.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant NICHIA CORPORATION			

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 4 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

		Date of issuance of this report 15 May 2006 (15.05.2006)
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		Authorized officer  Masashi Honda
Facsimile No. +41 22 740 14 35		Telephone No. +41 22 338 70 10

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

T<sub>01</sub>

PCT

# TRANSLATION PROJECT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference <b>62003101PC</b>		Date of mailing (day/month/year)
		<b>FOR FURTHER ACTION</b> See paragraph 2 below
International application No. <b>PCT/JP2004/009852</b>	International filing date (day/month/year) <b>09.07.2004</b>	Priority date (day/month/year) <b>10.07.2003</b>
International Patent Classification (IPC) or both national classification and IPC		
Applicant <b>NICHIA CORPORATION</b>		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis. I(a)(i) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

## 2 FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/009852

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
 This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
 a sequence listing  
 table(s) related to the sequence listing
  - b. format of material  
 in written format  
 in computer readable form
  - c. time of filing/furnishing  
 contained in the international application as filed.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/JP2004/009852

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																										
<p>1. Statement</p> <table> <tr> <td>Novelty (N)</td> <td>Claims</td> <td>1-21</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> <tr> <td>Inventive step (IS)</td> <td>Claims</td> <td>1-21</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> <tr> <td>Industrial applicability (IA)</td> <td>Claims</td> <td>1-21</td> <td>YES</td> </tr> <tr> <td></td> <td>Claims</td> <td>_____</td> <td>NO</td> </tr> </table>				Novelty (N)	Claims	1-21	YES		Claims	_____	NO	Inventive step (IS)	Claims	1-21	YES		Claims	_____	NO	Industrial applicability (IA)	Claims	1-21	YES		Claims	_____	NO
Novelty (N)	Claims	1-21	YES																								
	Claims	_____	NO																								
Inventive step (IS)	Claims	1-21	YES																								
	Claims	_____	NO																								
Industrial applicability (IA)	Claims	1-21	YES																								
	Claims	_____	NO																								
<p>2. Citations and explanations:</p> <p>Document 1: JP 2000-196199 A (Nichia Chemical Industries, Ltd.), 14 July 2006, Full text; all drawings</p> <p>Document 2: JP 2002-76518 A (Sony Corp.), 15 March 2002, Full text; all drawings &amp; US 2002/064195 A1</p> <p>Document 3: JP 2002-100830 A (Nichia Chemical Industries, Ltd.), 05 April 2002, Full text; all drawings</p> <p>Document 4: JP 11-154770 A (Oki Electric Industry Co., Ltd.), 08 June 1999, Full text; all drawings</p> <p>Document 5: JP 2002-314198 A (Sony Corp.), 25 October 2002, Full text; all drawings</p> <p>Document 6: JP 8-191171 A (Nichia Chemical Industries, Ltd.), 23 July 1996, Full text; all drawings</p> <p>Claims 1-21 In a nitride semiconductor laser, providing a pumping region for absorbing light emitted from the active layer and emitting a pumping light having a longer wavelength than that of the emitted light and an end face protective film having high reflectivity with respect to the pumping light is not described in any of the documents cited in the ISR and is not obvious to a person skilled in the art.</p>																											